RPPL No. 10-13
(Passed as House Bill No. 10-9-1, HD1, SD1)

AN ACT

To amend Title 22 to include a new Chapter 9 to implement school wellness and nutrition standards for all schools, and for other related purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Legislative findings. The Olbiil Era Kelulau finds that the future of the Republic of Palau lies in the hands of our bright and promising children. Throughout their illustrious educational experience in the exceptional public and private schools of the Republic, their minds are fed with necessary knowledge so that in due time, they will be competent and exceptional leaders to continue to drive the Republic of Palau forward into the next generation. At the same time, with the increasing availability of junk food items being sold in the schools, the children of the Republic are not being fed the nutrients they need to succeed in life. The Olbiil Era Kelulau finds that it is in the best interests of the Republic of Palau to ensure our children's minds and bodies are filled with the best local food items and information available. The purpose of this bill is to establish school wellness and nutrition standards, and to prohibit the sale of food items that promote obesity and lead to the onset of non-communicable diseases such as diabetes.

Section 2. Amendment. Title 22 is amended to include a new Chapter 9 as follows:

"Chapter 9

School Wellness and Nutrition Standards

- § 901. School Wellness and Nutrition Standards.
- (a) The Ministry of Health, in consultation with the Ministry of Education, shall promulgate regulations that provide a framework and guideline for all schools in the Republic of Palau to establish school wellness and nutrition standards, including, at a minimum:
- (1) goals for promotion and education of proper nutrition and substance use, physical activity, and other school-based activities that promote student wellness; and
 - (2) nutrition guidelines for the reduction of childhood obesity.
- (b) The Ministry of Education shall promulgate regulations to implement the school wellness and nutrition, including:

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- (1) a requirement that each school permit appropriate persons such as parents, students, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the school wellness and nutrition standards;
- (2) a requirement that each school inform and update the parents and students about the content and implementation of the school wellness and nutrition standards by whatever means may effectively publicize the standards, including radio, television, newspaper, or other mediums; and
- (3) a requirement that the Ministry of Education periodically measure and make available to the public an assessment on the implementation of the school wellness and nutrition standards, including the extent to which schools are in compliance with the school wellness and nutrition standards.
 - § 902. Technical assistance and best practices.

The Ministry of Education, in consultation with the Ministry of Health, shall provide information and technical assistance to local schools and school food authorities, for use in establishing healthy school environments that are intended to promote student health and wellness.

- § 903. National school nutrition standards.
- (a) In accordance with the school wellness and nutrition standards, the Ministry of Education shall promulgate regulations to establish science-based nutrition standards for foods sold in schools.
- (b) In establishing nutrition standards under this section, the Ministry of Education shall:
 - (1) establish standards that are consistent with the dietary guidelines as established by the Ministry of Health, including the essential food groups to encourage the consumption of necessary nutrients identified in the dietary guidelines; and
 - (2) consider -

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- (A) authoritative scientific recommendations for nutrition standards;
- (B) local diet and customary food items produced in the Republic of Palau;
- (C) the practical application of the nutrition standards; and
- (D) special exemptions for school-sponsored fundraisers, if the fundraisers are approved by the school Parent Teacher Association and are infrequent within the school.
- § 904. Prohibition of sale of certain food items on school property.
- (a) The Ministry of Education, working in coordination with the Ministry of Health, shall promulgate rules and regulations consistent with this Chapter to prohibit certain beverage and food items known to contribute to obesity and the onset of non-communicable diseases. In promulgating these regulations, the Ministry of Education and the Ministry of Health shall consider factors, including but not be limited to:
 - (1) the item's sodium content;
 - (2) the item's sugar content;
 - (3) the presence of monosodium glutamate; and
 - (4) the item's saturated fat content.
- (b) Any person found in violation of subsection (a) or subsection 905 of this Chapter shall be guilty of a violation and liable for a fine of one hundred dollars (\$100) per occurrence.
 - § 905. Prohibition of use of public funds.

No public funds shall be used by any public or private school to acquire and distribute food items that are known to contribute to obesity and the onset of non-communicable diseases."

Section 3. <u>Effective date</u>. This Act shall take effect upon its approval by the President of the Republic of Palau, or upon its becoming law without such approval.

PASSED: November 02, 2017

Approved this _____ day of _

POUSER, 2017.

H. E. Pempy E. Remengesau, Jr. President of the Republic of Palau